

## REMARKS

There are now pending in this application Claims 27-44, of which Claims 27, 35, 43, and 44 are independent. Claims 1-26 have been cancelled without prejudice or waiver of their subject matter and have been replaced by new Claims 27-44.

In view of the above newly-presented claims and the following remarks, favorable reconsideration and allowance of the above application is respectfully sought.

As the Examiner will appreciate, new Claims 27-34 are apparatus claims and new Claims 35-42 are method claims corresponding to Claims 27-34. In addition, Claim 43 is a computer program claim corresponding to Claim 27 and Claim 44 is a recording medium claim, also corresponding to Claim 27.

In the outstanding Official Action, all pending claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Ohtani (U.S. Patent No. 6,114,818), Tabata, et al. (U.S. Patent No. 5,774,232), and Kimoto, et al. (U.S. Patent No. 5,390,005). In view of the newly-presented claims, and the following remarks, the rejections are respectfully traversed.

The invention as set forth in independent Claim 27 is directed to a printing control apparatus for controlling a printer having a stapling function for binding together a plurality of sheets of printing paper that have been printed out at one of a plurality of staplable positions and a plurality of paper feed trays. The apparatus comprises a selection means for selecting a paper feed tray from among a plurality of paper feed trays and limitation means for limiting, on the basis of a paper feed tray selected, a usable staplable position from among the plurality of staplable positions. As a result of this combination of features, positive staple

processing can be achieved based on information on the paper feed tray which closely relate to the printer.

Ohtani is directed to an image forming apparatus having a finishing section including an improved stapling function. However, Ohtani merely provides that the designation of a staple position from a host computer is communicated to the printer and a designated staplable position is then judged to be appropriate in the printer.

Tabata, et al. is directed to an image recording apparatus and provides that when a user touches a screen for a desired staple position and then touches the execute location on the screen, a staple position is determined. (See, for example, Figure 13A)

Kimoto, et al. is directed to an operation-panel-indicating method for a copying machine and provides for a cardboard manuscript mode setting button 196 and thin paper manuscript mode setting button 197 as shown in Figure 16 and described at column 12. However, these buttons 196, 197 are exclusively input buttons and are thus distinct from the staple instruction-buttons 8, 183, as shown in Figures 1 and 14.

Applicant respectfully submits that the combination of those references is neither teaches nor suggests the invention as now set forth in independent Claim 27.

Turning first to Ohtani, in this reference, when a user designates the staple position desired by the user, a printer executes the staple processing and that execution includes an adequate tray and paper selection based on the staple position designated by the user. If one looks to Figure 11B in particular, it can be seen that the processing of the "selected tray and staple pattern" actually takes place on the printer side. Ohtani is not understood to teach or suggest the claimed limitation means for limiting, on the basis of the paper feed tray selected by

the selection means, a usable staplable position from among the plurality of staplable positions as required by Claim 27.

Tabata, et al. does not meet the shortcomings of Ohtani. In Tabata, et al., the user can designate a stapled position from among a plurality of candidates displayed. However, this reference does not teach or suggest Applicant's means for limiting, on the basis of the paper feed tray selected by the selection means, a usable staplable position from among the plurality of staplable positions as required by Claim 27. Indeed there is no teaching or suggestion in Tabata, et al. that the effect of the affect of a staple position can be limited based on the paper feed trays.

Kimoto, et al. was cited against Claim 9 originally and this reference provides a staple instruction button 8, 183 as shown in Figures 1 and 14. However, as with Tabata, et al. and Ohtani, Kimoto, et al. does not teach or suggest the limitation means as recited in Claim 27. More specifically, Kimoto, et al. does not teach or suggest a limitation of cardboard manuscript mode setting button 196, thin paper manuscript mode setting button 197 and the staple position.

For the foregoing reasons, Applicant respectfully submits that independent Claim 27 is clearly patentable over the applied references, whether they are taken individually or in combination.

Each of the remaining independent Claims 35, 43, and 44 are based on Claim 27 and incorporate the above-discussed features of Claim 27. Accordingly, each of those claims is patentable over the art of record for reasons noted above with respect to Claim 27.

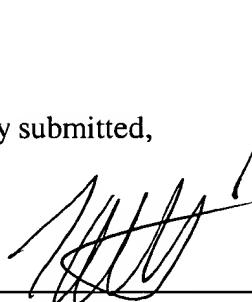
The remaining claims in the above application are dependent claims which depend either directly or indirectly from one of the above-discussed independent claims.

Accordingly, each recites features of the invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

Applicant respectfully submits that all outstanding matters in the above application have been addressed and that this application is in condition for allowance. Favorable reconsideration and early passage to issue of the above application is respectfully sought.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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**MARKED-UP VERSION OF THE CLAIMS**

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